

05/22/01



J1054 U.S. PTO

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|   |                     |  |                |
|---|---------------------|--|----------------|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br>(Only for new nonprovisional applications under 37 CFR 1.53(b))  |                     | Attorney Docket No. <b>HO-P01961US1 (10012778/OTA00-63)</b><br>First Inventor <b>Richard A. Lewis et al.</b><br>Title <b>DIAGNOSIS AND TREATMENT OF, etc.</b><br>Express Mail Label No. <b>EK102703101US</b>   |                |
| <b>APPLICATION ELEMENTS</b><br>See MPEP chapter 600 concerning utility patent application contents.   |                     | <b>ADDRESS TO:</b> Box Patent Application<br>Commissioner for Patents<br>Washington, DC 20231  |                |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17)<br>(Submit an original, and a duplicate for fee processing)<br>2. <input type="checkbox"/> Applicant claims small entity status.<br>See 37 CFR 1.27.<br>3. <input checked="" type="checkbox"/> Specification [Total Pages <b>80</b> ]<br>(preferred arrangement set forth below)<br>- Descriptive title of the invention<br>- Cross Reference to Related Applications<br>- Statement Regarding Fed sponsored R & D<br>- Reference to sequence listing, a table,<br>or a computer program listing appendix<br>- Background of the invention<br>- Brief Summary of the Invention<br>- Brief Description of the Drawings (if filed)<br>- Detailed Description<br>- Claim(s)<br>- Abstract of the Disclosure<br>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>13</b> ]<br>5. Oath or Declaration [Total Pages <b>14</b> ]<br>a. <input checked="" type="checkbox"/> Unexecuted (original or copy)<br>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br>(for continuations/divisional with Box 18 completed)<br>i. <input type="checkbox"/> DELETION OF INVENTOR(S)<br>Signed statement attached deleting<br>inventor(s) named in the prior application.<br>see 37 CFR 1.53(a)(2) and 1.33(b).<br>6. <input checked="" type="checkbox"/> Application Data Sheet See 37 CFR 1.76 |                     | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or<br>Computer Program (Appendix)<br>8. Nucleotide and/or Amino Acid Sequence Submission<br>(if applicable, all necessary)<br>a. <input type="checkbox"/> Computer Readable Form (CRF)<br>b. Specification Sequence Listing on:<br>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper<br>c. <input type="checkbox"/> Statements verifying identity of above copies<br><b>ACCOMPANYING APPLICATIONS PARTS</b><br>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))<br>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of<br>(when there is an assignee) Attorney<br>11. <input type="checkbox"/> English Translation Document (if applicable)<br>12. <input type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS<br>Statement (IDS)/PTO-1449 Citations<br>13. <input type="checkbox"/> Preliminary Amendment<br>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br>(Should be specifically itemized)<br>15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br>(if foreign priority is claimed)<br>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i)<br>Applicant must attach form PTO/SB/35 or its equivalent.<br>17. <input type="checkbox"/> Other: |                |
| 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:<br><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No. _____<br>Prior application information: Examiner _____ Group / Art Unit: _____<br>For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  |                     |  |                |
| <b>19. CORRESPONDENCE ADDRESS</b><br><input type="checkbox"/> Customer Number or Bar Code Label  or <input checked="" type="checkbox"/> Correspondence address below  |                     |  |                |
| Name <b>FULBRIGHT &amp; JAWORSKI L.L.P.</b> <b>26271</b><br><b>Melissa L. Sistrunk</b> PATENT, TRADEMARK OFFICE   |                     |  |                |
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| Name (Print/Type)   | Melissa L. Sistrunk | Registration No. (Attorney/Agent)  | 45,579         |
| Signature   |                     | Date   | May 22, 2001   |

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

## Complete if Known

|                      |                               |
|----------------------|-------------------------------|
| Application Number   | Not Yet Assigned              |
| Filing Date          | May 22, 2001                  |
| First Named Inventor | Richard A. Lewis et al.       |
| Examiner Name        | Not Yet Assigned              |
| Group Art Unit       | N/A                           |
| Attorney Docket No.  | P01961US1 (10012778/OTA00-63) |

TOTAL AMOUNT OF PAYMENT (\$) 2766.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 062375 (order 10012778)

Deposit Account Name: Fulbright & Jaworski L.L.P.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

| 1. BASIC FILING FEE |              |          |          |                        |          |
|---------------------|--------------|----------|----------|------------------------|----------|
| Large Entity        | Small Entity | Fee Code | Fee (\$) | Fee Description        | Fee Paid |
| 101                 | 710          | 201      | 355      | Utility filing fee     | 710.00   |
| 106                 | 320          | 206      | 160      | Design filing fee      |          |
| 107                 | 490          | 207      | 245      | Plant filing fee       |          |
| 108                 | 710          | 208      | 355      | Reissue filing fee     |          |
| 114                 | 150          | 214      | 75       | Provisional filing fee |          |
| SUBTOTAL (1) (\$)   |              |          |          |                        | 710.00   |

| 2. EXTRA CLAIM FEES |              |                |              |
|---------------------|--------------|----------------|--------------|
| Total Claims        | Extra Claims | Fee from below | Fee Paid     |
| 57                  | -20** =      | 37             | 18 = 866.00  |
| 17                  | -3** =       | 14             | 80 = 1120.00 |
| Multiple Dependent  |              |                | 270 = 270.00 |

| Large Entity      |          |          |          | Small Entity   |         |  |  |
|-------------------|----------|----------|----------|--|---------|--|--|
| Fee Code          | Fee (\$) | Fee Code | Fee (\$) | Fee Description  |         |  |  |
| 103               | 18       | 203      | 9        | Claims in excess of 20                                     |         |  |  |
| 102               | 80       | 202      | 40       | Independent claims in excess of 3                          |         |  |  |
| 104               | 270      | 204      | 135      | Multiple dependent claim, if not paid                      |         |  |  |
| 109               | 80       | 209      | 40       | ** Reissue independent claims over original patent         |         |  |  |
| 110               | 18       | 210      | 9        | ** Reissue claims in excess of 20 and over original patent |         |  |  |
| SUBTOTAL (2) (\$) |          |          |          |  | 2056.00 |  |  |

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

| 3. ADDITIONAL FEES                |          |              |          |  |          |
|-----------------------------------|----------|--------------|----------|--|----------|
| Large Entity                      |          | Small Entity |          | Fee Description  | Fee Paid |
| Fee Code                          | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105                               | 130      | 205          | 65       | Surcharge - late filing fee or oath  |          |
| 127                               | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139                               | 130      | 139          | 130      | Non-English specification  |          |
| 147                               | 2,520    | 147          | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112                               | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113                               | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115                               | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116                               | 390      | 216          | 195      | Extension for reply within second month                                    |          |
| 117                               | 890      | 217          | 445      | Extension for reply within third month                                     |          |
| 118                               | 1,390    | 218          | 695      | Extension for reply within fourth month                                    |          |
| 128                               | 1,890    | 228          | 945      | Extension for reply within fifth month                                     |          |
| 119                               | 310      | 219          | 155      | Notice of Appeal   |          |
| 120                               | 310      | 220          | 155      | Filing a brief in support of an appeal                                     |          |
| 121                               | 270      | 221          | 135      | Request for oral hearing   |          |
| 138                               | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140                               | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141                               | 1,240    | 241          | 620      | Petition to revive - unintentional   |          |
| 142                               | 1,240    | 242          | 620      | Utility issue fee (or reissue)   |          |
| 143                               | 440      | 243          | 220      | Design issue fee   |          |
| 144                               | 600      | 244          | 300      | Plant issue fee  |          |
| 122                               | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123                               | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(c)  |          |
| 126                               | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581                               | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146                               | 710      | 246          | 355      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149                               | 710      | 249          | 355      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179                               | 710      | 279          | 355      | Request for Continued Examination (RCE)                                    |          |
| 169                               | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |
| Other fee (specify)               |          |              |          |  |          |
| *Reduced by Basic Filing Fee Paid |          |              |          |  |          |
| SUBTOTAL (3) (\$)                 |          |              |          |  |          |

|                   |                         |                                   |                |
|-------------------|-------------------------|-----------------------------------|----------------|
| SUBMITTED BY      |                         | Complete (if applicable)          |                |
| Name (print/type) | Melissa L. Sistrunk     | Registration No. (Attorney/Agent) | 45,579         |
| Signature         | <i>Melissa Sistrunk</i> | Telephone                         | (713) 651-3735 |
|                   |                         | Date                              | May 22, 2001   |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EK102703101US, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: May 22, 2001 Signature: *Susan Hunter* (Susan Hunter)